

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IN RE:

CRAIG K. GARRETT,

No. 1:25-mc-00010-SAB

ORDER GRANTING PLAINTIFF'S
REQUEST TO BE EXEMPT FROM E-FILING
REQUIREMENT, AND DIRECTING CLERK
OF COURT TO FILE COMPLAINT AND
OPEN A NEW PRISONER CIVIL RIGHTS
ACTION

(ECF No. 1)

On January 30, 2025, Craig K. Garrett filed a motion for leave and/or exemption from the requirement to electronic file his civil rights complaint pursuant to 42 U.S.C. § 1983.

I.

DISCUSSION

On March 1, 2016, this Court issued a Standing Order for the United States District Court for the Eastern District of California, Fresno Division, that describes a pilot program in which the Court and the California Department of Corrections and Rehabilitation (CDCR) have agreed to participate in a program whereby initial pleadings submitted by prisoners in civil rights cases involving conditions of confinement claims are electronically filed. As part of this pilot program, CDCR has agreed to collaborate with the Court to obtain and maintain participating penal

1 institutions under the program. Participating penal institutions shall be those institutions which
2 CDCR and the Court agree shall participate in the program. This pilot program is designed to
3 reduce the costs of processing court filings in civil rights cases brought by incarcerated Plaintiffs
4 pursuant to 42 U.S.C. § 1983. This Standing Order only applies to initial filings by Plaintiffs
5 which is defined as the complaint, an application to proceed in forma pauperis without
6 prepayment of fees, or a motion seeking relief from this Standing Order or a motion for
7 emergency relief. At a CDCR participating facility, no initial documents will be accepted for
8 filing by the Clerk of the Court unless done pursuant to the Standing Order or the scanning
9 equipment is inoperable for a period longer than forty-eight (48) hours. After the initial filings,
10 all other filings shall be mailed and comply with the Local Rules for the United States District
11 Court for the Eastern District of California. Issues regarding access to the e-filing program in the
12 Fresno Division of this Court are referred to the undersigned for determination and authorization
13 to open a miscellaneous proceeding prior to accepting the civil complaint should the magistrate
14 judge deem it necessary.

15 Plaintiff has filed a request to be exempt from the e-filing requirement, along with a copy
16 of the proposed complaint and application to proceed in forma pauperis. Plaintiff contends that
17 because he is currently detained in the administrative segregation unit “there is no ‘designated’
18 prison guard to take said filing to the prison’s law librarian in order to have filings ‘E-filed’ to the
19 district court.” (ECF No. 1.) When Plaintiff asked the designated “property” guard how to
20 submit the complaint he was told to “mail it.” (*Id.*) Although Kern Valley State Prison is part of
21 the electronic filing system and has the ability to electronically file complaints with this Court,
22 given that Plaintiff is currently confined in the administrative segregation unit, the Court will
23 allow Plaintiff to be exempt from the e-filing requirement and direct that the complaint be filed in
24 a new prisoner civil rights action.

25 II.

26 ORDER

27 Based on the foregoing, it is HEREBY ORDERED that:

- 28 1. Plaintiff’s request to be exempt from the e-filing requirement is granted;

2. The Clerk of Court is directed to file open a new prisoner civil rights action;
3. The Clerk of Court shall file Plaintiff's complaint and the application to proceed in forma pauperis as of January 30, 2025 in the new action; and
4. The Clerk of Court shall email a copy of this order to Senior Assistant Attorney General Monica Anderson.

IT IS SO ORDERED.

Dated: **January 31, 2025**



STANLEY A. BOONE
United States Magistrate Judge